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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,318	06/13/2001	William J. Brown	51057.P001	6917

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EXAMINER

NATNAEL, PAULO S M

ART UNIT

PAPER NUMBER

2614

9

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/881,318

Applicant(s)

BROWN, WILLIAM J.

Examiner

Paulos M. Natnael

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 and 31-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-10, 16-23 and 31-35 is/are allowed.
- 6) ☒ Claim(s) 11-15, 36 and 37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims **11-15, 36 and 37** are rejected under 35 U.S.C. 102(e) as being anticipated by Herz, U.S. Pat. No. 6,407,779.

Considering claim **11**, Herz discloses all claimed subject matter, note;

a) the claimed receiving a command to enter a programming mode, is met by input GUI, 215;

b) receiving a first one of a first set of user inputs, the first set of user inputs defining a plurality of devices, receiving a first one of a second set of user inputs, the second set of user inputs defining commands, is inherent, because a receiver receives commands from a remote controller device a first set of user input that for example selects a device, TV, VCR, etc. and then receives a second user input which defines another command such as power on/off, channel up/down, play, mute, etc.

c) associating a first one of a plurality of devices with subsequently received user inputs of the second set, is also inherent in Herz, because the devices would have to be somewhat associated with the user inputs received from the remote control for the system to recognize and act upon the command received.

Considering claim **12**, the method of Claim 11, wherein receiving the command to enter the programming mode comprises processing signals which are received by a universal remote control unit, is met by RF (from TV) received and demodulated by RF demodulator 218, fig.2;

Considering claim **13**, the method of Claim 12, wherein receiving the first one of the first set of user inputs comprises detecting a button press on a universal remote control unit, and further comprising classifying the first one of the first set of user inputs.

See rejection of claim 11;

Considering claim **14**, the method of Claim 13, wherein detecting the button press comprises generating at least one signal representative of the button which is pressed, is inherent in remote controllers.

Considering claim **15**, the method of Claim 14, wherein classifying comprises determining a function class associated with the button which is pressed based, at least in part, on the at least one signal representative of the button which is pressed.

See rejection of claim 11;

Considering claim **36**, the claimed deactivating the programmed association mode by receiving a fifth user input at the first device, the fifth user input indicating any one of the plurality of second devices, is met by disclosure that "In one preferred embodiment of the present invention, a select button is provided in the remote control for the user to force and lock a specific communication method. This can be done by simply deactivating the proximity sensor. By deactivating the proximity sensor and forcing a communication mode on the remote control system, the user can select a preferred and/or fixed method of communication between the remote control and the television set."

Considering claim **37**, the claimed reactivating the programmed association mode by receiving a sixth user input;

See rejection of claim 36;

Allowable Subject Matter

3. Claims **1-10,16-23, 31-35** are allowable over the prior art.
4. The following is a statement of reasons for the indication of allowable subject matter: the prior art fails to disclose a method of transmitting information from a first device to a second device, comprising: receiving a first user input at the first device, the first user input indicating a first one of a plurality of second devices; receiving,

subsequent to the first user input, a second user input at the first device, the second user input indicating that programmed association mode has been selected; receiving, subsequent to the second user input at the first device, a third user input at the first device, the third User input belonging to a first one of a plurality of user input classes; associating the first one of the plurality of user input classes with the first one of the plurality of second devices; receiving, subsequent to the third user input at the first device, a fourth user input at the first device, the fourth user input belonging to the first class; identifying one of a plurality of sets of information which is associated with the first class; looking up at least one datum in the identified set of information; and transmitting the datum, as in claim 1;

a method comprising, receiving a first input, the first user input indicating a first one of a plurality of target devices; receiving, subsequent to the first input, second input, the second input indicating that a programmed association mode has been selected; receiving, subsequent to the second input, a third input, the third input belonging to a first one of a plurality of user input classes; associating the first one of the plurality of user input classes with the first one of the plurality of target devices; receiving a user input; generating a classification code based, at least in part, on the user input; accessing a first control code based, at least in part, on the user input and the classification code, the first control code stored in a memory; and transmitting the first control code; wherein the transmission is directed to the first one of the plurality of target devices, as in claim 16;

An article of manufacture, comprising a machine readable medium upon which is included instructions which when processed by the machine will cause the machine to receive a first user input, the first user input indicating a first one of a plurality of target devices; receive, a second user input, the second user input indicating that a programmed association mode has been selected; receive, a third user input, the third user input belonging to a first one of a plurality of user input classes, associate the first one of the plurality of user input classes with the first one of the plurality of target devices; receive a fourth user input the fourth user input belonging to the first class; identify one of a plurality of sets of information which is associated with the class; look up at least one datum in the identified set of information; and transmit the datum to the first one of the plurality of target devices, as in claim 31;

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (703) 305-0019. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703) 305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PMN *PMN*
April 2, 2004


MICHAEL H. LEE
PRIMARY EXAMINER